

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

IN RE:)	Chapter:	7
)		
BRYAN WAYNE REAL,)	Case No.:	06-11241
)		
Debtor.)	Judge Carol A. Doyle	

**AMENDED NOTICE OF FINAL APPLICATION FOR ALLOWANCE OF
COMPENSATION AND REIMBURSEMENT OF EXPENSES OF GENERAL COUNSEL
TO THE TRUSTEE AND FOR LIMITED NOTICE**

To: Attached Service List

PLEASE TAKE NOTICE THAT ON **Thursday, November 7, 2013 at 11:00 a.m.** or as soon thereafter as Counsel may be heard, I shall present before the Honorable Judge Carol A. Doyle, or any Judge sitting in her stead, in **Courtroom 240** of the **Kane County Courthouse, 100 S. Third Street, Geneva, Illinois** the Final Application for Allowance of Compensation and Expenses of Counsel to the Trustee and for Limited Notice, at which time you may appear as you deem necessary.

Thomas E. Springer
SPRINGER BROWN, LLC
Wheaton Executive Center
400 S. County Farm Road, Ste. 330
Wheaton, IL 60187
630-510-0000
tspringer@springerbrown.com

/s/ Thomas E. Springer
Thomas E. Springer

CERTIFICATE OF SERVICE

I, Thomas E. Springer, an attorney, on oath state that I caused to be served this Notice and proposed Order by mailing and/or electronically serving where available a copy to all parties shown and depositing same in the U.S. Mail at 400 S. County Farm Road, Illinois before 5:45 p.m. on **October 21, 2013** with proper postage prepaid.

/s/ Thomas E. Springer

SERVICE LIST

VIA ELECTRONIC SERVICE

Patrick S. Layng
United States Trustee
219 South Dearborn St.
Suite 873
Chicago, IL 60604

G. Alexander McTavish
Foote, Mielke, Chavez & O'Neil
10 W State St
Suite 200
Geneva, IL 60134
Email: amctavish@fmcolaw.com

VIA REGULAR MAIL

Bryan Wayne Real
18N341 Northwind Lane
Dundee, IL 60118

Netbank Business Finance
c/o Ken Drost
111 W. Lions Dr.
Barrington, IL 60010

Chase Bank USA, N.A.
c/o Weinstein & Riley, P.S.
2101 4th Avenue, Suite 900
Seattle, WA 98121

US Bankcorp Manifest Funding Services
Attn: Corporate Attorney
1450 Channel Parkway
Marshall, MN 56258

Chase Bank USA, N.A.
P.O. Box 15145
Wilmington, DE 19850

Wells Fargo
Attn: Michael Vanadia
530 5th Ave., 15th Fl.
New York, NY 10036

Harris NA
c/o Heather Turf
111 W. Monroe Street
Chicago, IL 60603

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

IN RE:) Chapter: 7
)
BRYAN WAYNE REAL,) Case No.: 06-11241
)
Debtor.) Judge Carol A. Doyle

**FINAL APPLICATION FOR ALLOWANCE OF COMPENSATION AND
REIMBURSEMENT OF EXPENSES OF GENERAL COUNSEL TO THE TRUSTEE
AND FOR LIMITED NOTICE**

Cover Sheet for Application for Professional Compensation

Name of Applicant(s): **Thomas E. Springer, Esq. and the firm of Springer Brown, LLC**

Authorized to Provide Professional Services to: **Thomas E. Springer, Trustee of the Estate
of Bryan Wayne Real, Chapter 7 Bankruptcy No. 06-11241**

Date of Order Authorizing Employment: **December 7, 2006**

Period for which Compensation is Sought: **November 30, 2006 through August 27, 2013**

Amount of Fees Sought: **\$ 10,137.50**

Amount of Expense Reimbursement Sought: **\$ 317.86**

This is an: Interim Application ☐ Final Application ☒

If this is not the first application filed herein by this professional, disclosure as to all prior fee applications:

Date Filed	Period Covered	Total Requested	Total Allowed	Any Amount Withheld by Order
N/A	N/A	N/A	N/A	N/A

The amount of fees and expenses paid to the Applicant to date for Service rendered and expenses incurred herein is: \$ -0-.

In re: Bryan Wayne Real
Chapter 7 No. 06-11241
Cover Sheet for Application for Professional Compensation by Trustee's General Counsel
(PAGE TWO of TWO)

Professionals retained and represented as follows in this Application for Allowance of Compensation and Reimbursement of Expenses as Counsel to the Trustee:

Name of Professional	Hourly Rates	Hours of Service	Value of Service
Thomas E. Springer, Attorney(TES)	\$375.00	5.2	\$ 1,950.00
Elizabeth A. Bates, Attorney(EAB)	\$350.00	13.1	\$ 4,585.00
Michele M. Springer, Attorney(MMS)	\$325.00	6.7	\$ 2,177.50
Arthur W. Rummeler, Attorney (AWR)	\$285.00	5.0	\$1,425.00
TOTALS		30.0	\$10,137.50

A Summary and Total of Fee Application Categories is Attached hereto.

DATE: August 27, 2013

APPLICANT:
Thomas E. Springer
Counsel to Trustee Thomas E. Springer

By: /s/ Thomas E. Springer
Thomas E. Springer
One of His Attorneys

Thomas E. Springer
SPRINGER BROWN, LLC
Wheaton Executive Center
400. S. County Farm Road, Ste. 330
Wheaton, IL 60187
(630) 510-0000

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

IN RE:)	Chapter:	7
)		
BRYAN WAYNE REAL,)	Case No.:	06-11241
)		
Debtor.)	Judge Carol A. Doyle	

**FINAL APPLICATION FOR ALLOWANCE OF COMPENSATION AND
REIMBURSEMENT OF EXPENSES FOR GENERAL COUNSEL TO THE TRUSTEE
AND FOR LIMITED NOTICE**

NOW COMES Thomas E. Springer, Esq. and the firm of SPRINGER BROWN, LLC, (hereinafter "Applicant") as duly authorized counsel to the Trustee, THOMAS E. SPRINGER, (hereinafter "Trustee") and respectfully requests the entry of an Order for the allowance and payment of compensation and reimbursement of expenses for services rendered as counsel to the Trustee, pursuant to §330 of the United States Bankruptcy Code and applicable Federal Rules of Bankruptcy Procedure, and for Limited Notice, and in support hereof, states to the Court as follows:

I. INTRODUCTION

This Application encompasses the time period from November 30, 2006 through August 27, 2013. The Application represents 30.0 hours of legal services provided to the Trustee. Applicant has neither previously requested nor obtained approval for payment of interim compensation. This Application seeks approval of legal fees in the amount of \$10,137.50 and \$317.86 for actual and necessary unreimbursed expenses.

The Debtor initiated this bankruptcy proceeding with the filing of a voluntary Petition under Chapter 7 of the United States Bankruptcy Code on September 8, 2006 and Thomas E.

Springer was appointed as the Chapter 7 Trustee herein. On December 7, 2006, this Court entered an Order authorizing the Trustee to retain Applicant as legal counsel. The hourly rates of Applicant is competitive with the rates charged in this market by professionals with similar skills and experience, as disclosed and summarized in the Cover Sheet to this Application for Compensation and Reimbursement of Expenses.

II. CASE STATUS and NARRATIVE OF LEGAL SERVICES

The Debtor filed his Chapter 7 proceeding on September 8, 2006 and on his Schedule "B" listed an outstanding amount due from Heritage Coffee in the amount of \$50,000.00 due on October 26, 2007 and an outstanding amount due on a loan owed by United Food Group in the amount of \$156,363.51 payable on December 31, 2010. The Trustee requested all documents from the Debtor related to the above outstanding loans.

Applicant sent a demand letter to Heritage Coffee for the outstanding \$50,000.00. Applicant send a second demand letter to Heritage Coffee advising the Trustee would be willing to accept a lesser of \$40,000.00 if Heritage Coffee wanted to pay prior to the due date. Heritage Coffee accepted the reduced amount and Applicant drafted a settlement agreement. On November 1, 2007, Applicant filed a Motion to Approve the compromise and on November 15, 2007, this Court entered an Order approving the compromise.

Applicant then began negotiations with Attorney Oskandy, the attorney for United Food Group, for collection of its outstanding loan. Attorney Oskandy advised that United Food Group was not in a financial position to make any type of reduced payment before the loan came due December 31, 2010. In November, 2010, Applicant sent a demand letter to Attorney Oskandy for the amount due on December 31, 2010. In January, 2011, Attorney Oskandy advised that United Food Group could not make the full payment due of \$156,363.71 and he would obtain financial information for United Food Group to support this claim and send an alternative offer.

On February 22, 2011, Applicant received a letter from Attorney Oskandy advising United Food could make monthly payments of \$1,000.00. Applicant advised that this offer was unacceptable as the Trustee could not keep the estate open for 13 years and that United Food needed to increase the offer substantially either by way of a lump sum payment or greatly increased monthly payments.

The parties could not reach an agreement and on April 3, 2012, Applicant filed an adversary proceeding against United Food Group for Turnover of the funds. The adversary proceeded and the parties finally researched a settlement for a total payment of \$45,000.00 payable in two installments with the final installment of \$30,000.00 due on July 31, 2013.

On June 6, 2013, Applicant filed the Motion for Approval of the Compromise/Settlement and July 11, 2013, this Court entered an Order approving the Settlement.

Trustee's counsel herein provided and maintained the normal and ordinary legal services to the Trustee in monitoring and overseeing liquidation and administration of the assets and coordinating efforts of the administration with the Trustee in the related Estate.

The Trustee reviewed the claims filed and supporting documents thereto. Applicant filed an Objection to Claim 5 of Wells Fargo Equipment Finance as the creditor failed to provide any supporting documentation indicating the Debtor's liability. Prior to the hearing, Wells Fargo did finally provide proof of the Debtor's liability, a guaranty, and Applicant withdrew the objection at the hearing.

Itemized time entries for all Applicant's services to this Bankruptcy Estate are attached hereto as Exhibit "A" and necessary expenses Applicant incurred are also attached as Exhibit "B". Applicant's request for reimbursement of expenses does not include any of the ordinary operating expenses of Applicant's practice of law. Applicant is requesting reimbursement of

photocopy charges at the rate of 10¢ per copy. Applicant's expense request does not include any long distance telephone service charges.

III. REQUEST FOR LIMITED NOTICE

Pursuant to FRBP 2002, the Trustee requests that notice be limited to parties in interest and those creditors that have filed proofs of claim. The bar date for filing claims was March 5, 2007.

WHEREFORE, Applicant, Thomas E. Springer respectfully requests that Trustee's Attorneys' fees in the amount of \$10,137.50 and expenses in the amount of \$317.86 be approved as reasonable and appropriate and that payment be authorized upon entry of the Order approving such payment as set forth herein and approving the limited Notice to parties in interest and creditors that filed proofs of claim and for any such other and further relief as this Court deems just and equitable.

DATE: August 27, 2013

Respectfully Submitted,
APPLICANT
Thomas E. Springer, Trustee

BY: Springer Brown, LLC

By: /s/ Thomas E. Springer
Thomas E. Springer
One of His Attorneys

Thomas E. Springer
SPRINGER BROWN, LLC
Wheaton Executive Center
400 S. County Farm Road, Suite 330
Wheaton, IL 60187
(630) 510-0000